# **INTRODUCTION**

- I. Purpose
- II. Legal Base
- III. Confidentiality
- IV. Adoption Services
  - A. Recruitment
  - B. Applications And Home Studies
  - C. Placements
  - D. Subsidy
  - E. Adult Adoptees

# **TERMINATION OF PARENTAL RIGHTS (TPR)**

- I. INTRODUCTION
  - A. Purpose
  - B. Legal Base
- II. TERMINATION OF PARENTAL RIGHTS (TPR) PROCESS
  - A. Making The Decision To Pursue Termination of Parental Rights
  - B. Prior To The Petition To Terminate Parental Rights
  - C. The Petition To Terminate Parental Rights
  - D. Roles Of The Parties In Typical Termination Cases
    - 1. Department of Human Resources
    - 2. Parents
    - 3. Guardian Ad Litem (GAL)
    - 4. Foster Or Pre-Adoptive Parents And Related Caregivers
  - E. Diligent Search
  - F. Serving Notice Of The Termination Of Parental Rights Hearing
  - G. Court Reports
  - H. The TPR Court Hearing

- 1. The Court Order
- 2. Appeals
- 3. Procedures After The Court Hearing Until Adoptive Placement
- III. RELINQUISHMENTS
- IV. CASE MATERIAL TO BE SUBMITTED TO THE OFFICE OF ADOPTION
- V. OFFICE OF ADOPTION ACTIVITIES FOR CHILDREN AWAITING STATE OFFICE PLACEMENT
- VI. PREPARATION OF CHILDREN FOR ADOPTIVE PLACEMENT

## APPLICATION AND HOME STUDIES

- I. GENERAL REQUIREMENTS
  - A. Citizenship
  - B. Residence
  - C. Age
  - D. Marital Status
  - E. Race
  - F. Religion
  - G. Health
  - H. Financial Stability
  - I. Employment
  - J. Motivation
  - K. Assurance Of Medical Treatment
  - L. Child Abuse / Neglect Central Registry Clearances
  - M. Criminal History Checks
    - 1. Who Must Be Checked
    - 2. Documentation And Fees
    - 3. Processing Documentation And Fees, County DHR Responsibilities
      - a. Automatic Denials Of Adoptive Applicants

- b. Disqualifying Convictions
- 4. Submitting Criminal History Check Requests
- 5. Requests For Reversal Of Unsuitable Determinations
- N. Special Requirements
  - 1. Applicants Who Are Interested In Legal Risk Placements
  - 2. Applicants Who Have Adopted From Other Agencies
  - 3. Applicants Who Are DHR Employees
- O. Exceptions To General Requirements

### II. MINIMUM REQUIREMENTS FOR ADOPTIVE HOMES

#### III. ADOPTION HOME STUDY

- A. Inquiry And Screening
- B. Group Preparation And Selection / Deciding Together
- C. Required Forms And Documentation
- D. Autobiography
- E. Family Consultations And Interviews
  - 1. First (1<sup>st</sup>) Family Consultation
  - 2. Individual Interviews
  - 3. Second (2<sup>nd</sup>) Family Consultation
- F. Additional Interviews
  - 1. Other Household Members
  - 2. Other Pertinent Individuals
  - 3. References
- G. Documentation
  - 1. 12 Skills for Successful Foster and Adoptive Parenting
  - 2. Diagnostic Evaluation, Recommendations and Future Plans

#### IV. APPLICATION DECISIONS

- A. Approval
- B. Denial

- V. UPDATING HOME STUDIES PRIOR TO PLACEMENT
- VI. REAPPLICATIONS FROM PREVIOUS DHR ADOPTIVE FAMILIES
- VII. INQUIRIES FROM APPROVED APPLICANTS
  ABOUT CHILDREN IN RECRUITMENT ACTIVITIES
- VIII. REQUESTS TO RELEASE ADOPTIVE HOME STUDY
  - A. Releasing Adoption Studies
    - 1. Policy
    - 2. Procedures
      - a. Release to Other State Child Welfare Agencies, LCPAs, or PIPs
      - b. Release to Approved Adoptive Parents of an "Unofficial Copy"
      - c. Release to Other State's Child Welfare Agencies for Outof-State Adoption
  - C. When Adoption Home Studies Cannot Be Released

# **DHR PLACEMENTS**

- I. FOSTER PARENT ADOPTIONS
  - A. Giving First Consideration
    - 1. Child's Attachment To The Foster Parents
    - 2. Length Of Time The Child Has Been In The Foster Home
    - 3. Age Of The Child In Relation To Age Of The Foster Parents
    - 4. Foster Parent's Health And Income
    - 5. Involvement With And/Or Interference From Biological Family
    - 6. Ability Of The Foster Parents To Meet The Child's Long-Term
      Best Interests
    - 7. Contingency Plan For The Child's Care In The Event Of A Foster Parent's Death Or Debilitating Illness
    - 8. Discussion Of Other Family Members' Acceptance Of The Adoption
  - B. Required Forms
  - C. Foster Parents Approved by Another Agency
  - D. Placement Interviews
  - E. Child's Private Income Pending Final Decree
    - 1. Supplemental Security Income (SSI)
    - 2. Social Security
    - 3. Veteran's Administration

- II. NON-FOSTER PARENT ADOPTIONS PLACEMENTS BY OFFICE OF ADOPTION
- III. LEGAL RISK PLACEMENTS
- IV. POST-PLACEMENT SUPERVISION
  - 1. Income Tax
  - 2. Insurance
  - 3. Surgery
  - 4. Out-of-State Trips
  - 5. Future Contact With Birth Family
- V. DISRUPTIONS
- VI. LEGAL PROCESS FOR DHR PLACED CHILDREN
  - A. Pre-Placement Investigation
  - B. Consent To Adopt
  - C. Petition
  - D. Interlocutory Order
  - E. Post-Placement Investigation
  - F. Post-Placement Report To The Court
  - G. Dispositional Hearing And Final Decree
  - H. Certificates Of Birth And Adoption
    - 1. Certificate of Birth
    - 2. Certificate of Adoption
  - I. Final Records

# **ADOPTION SUBSIDY**

- I. INTRODUCTION
- II. REQUIREMENTS AND PROCEDURES
  - A. Subsidy Criteria
  - B. Types Of Subsidy
    - 1. Federal Adoption
    - 2. State Adoption

- 3. Non-Recurring Expenses
- 4. State Medical
  - a. Counseling
  - b. Orthodontia
- C. Subsidy Amount
  - 1. Regular Subsidy Rate
  - 2. Level One Difficulty Of Care Subsidy
  - 3. Therapeutic Subsidy Rate
  - 4. Medically Fragile Subsidy Rate
- D. Private Income
  - 1. Supplemental Security Income (SSI)
  - 2. Social Security (SS) And Veteran's Administration (VA)
  - 3. Other Income
- E. Adoption Subsidy Agreements
  - 1. Prior To Subsidy Negotiations
  - 2. Subsidy Agreement Forms
  - 3. Termination Of Subsidy Agreements
- F. Financial Procedures
  - 1. Initial Award
  - 2. Changes And Adoption Disruptions
  - 3. Billing For Counseling And Orthodontia
  - 4. Payment Procedures for Non-Recurring Expenses
  - 5. Authorizing Subsidy Medicaid
  - 6. Children with Private Income
- G. Annual Recertification And Modifications
- H. Review And Fair Hearing

#### III. SPECIAL SUBSIDY SITUATIONS

- A. Dissolved Adoptions And Continued Eligibility For Subsidy
- B. Medicaid Coverage For Children Moving Between States
- C. Children Placed By Licensed Child-Placing Agencies
- D. Independent Adoptions

### E. International Adoptions

## **NON-DHR ADOPTION**

- I. INTRODUCTION
  - A. Departmental Responsibilities
  - B. SDHR's Office Of Adoption Responsibilities
    - 1. Child Abuse / Neglect Central Registry
    - 2. Putative Father Registry
  - C. Adoption By Relatives
  - D. Adoption Of Adults
  - E. Adoption Placements By Licensed Child-Placing Agencies (LCPAs)

#### II. INDEPENDENT ADOPTION

- A. Who May Conduct The Investigation
  - 1. Licensed Child-Placing Agencies
  - 2. Private Independent Practitioners
- B. Explaining The Investigation's Purpose To Parties In The Adoption
- C. Guidelines For Pre-Placement Investigations
- D. Guidelines For Post-Placement Investigations
- E. Report To The Court
- F. Fees For Independent Adoption Investigations
  - 1. When Fees Can Be Waived
    - a. Indigence
    - b. Child's Best Interest
    - c. Previous History With DHR
  - 2. When Fees Cannot Be Waived
  - 3. Payment Of Fees

#### III. LEGAL PROCESS

- A. Petition To Adopt
- B. Consents And Relinquishments

- 1. Forms / Documentation
- 2. Timing
- 3. Withdrawal
- 4. Putative Father Registry
- C. Notice Of Proceedings
- D. Interlocutory Order
- E. Dispositional Hearing And Final Decree
- F. Certificates Of Birth And Adoption
- G. Court And Agency Records
- H. Contested Hearings
- I. Related Proceedings
- J. Appeals

# **FORMS & INSTRUCTIONS**

## NUMBERED FORMS

DHR-FCS-1299	Child Desired
DHR-FCS-1598	Request for Clearance of State Central Registry On Child Abuse/Neglect
DHR-FCS-1745	Checklist For DHR Adoption Home Study
DHR-FCS-1746	Checklist For Independent Adoption Home Study
DHR-FCS-1747	Checklist For Foster Care Records Submitted To Office Of Adoption
DHR-FCS-1748	Medical History Of Child To Be Placed For Adoption
DHR-FCS-1749	Medical History Of Biological Parent Of Child To Be Placed For Adoption
DHR-FCS-1750	Report Of Release Of Child From Hospital For Adoption
DHR-FCS-1751	Pre-Placement Report To The Court Suggested format for DHR Adoptions Suggested format for Independent Adoptions
DHR-FCS-1755	Relinquishment Of Minor For Adoption
DHR-FCS-1767	Summary Of Identifying Information
DHR-FCS-1768	Summary Of Non-Identifying Information

DHR-FCS-1769	Consent To Release Of Identifying Information
DHR-FCS-2119	Family Background Information
DHR-FCS-2120	State File Room Clearance For Potential State Wards
DHR-FCS-2122	Alabama Adoption Subsidy Agreement
DHR-FCS-2123	Federal (IV-E) Adoption Assistance Agreement
DHR-FCS-2124	Federal (IV-E) Adoption Assistance Agreement Non-Recurring Expenses
DHR-FCS-2125	Federal (IV-E) Adoption Assistance Agreement/SSI
DHR-FCS-2127	Adoption Subsidy Agreement-Counseling
DHR-FCS-2128	Adoption Subsidy Agreement-Orthodontics
DHR-FCS-2129	Checklist For Final Records Foster Parent Adoption
DHR-FCS-2130	Adoptive Home Placement Agreement
DHR-FCS-2131	Statement Of Medical Assurance
DHR-FCS-2132	Termination Of Parental Rights/Foster Parent Adoption Protocol And Checklist
DHR-FCS-2133	Federal Adoption Subsidy - Medicaid
DHR-FCS-2134	State Adoption Subsidy - Medicaid
DHR-FCS-2135	Medicaid Eligibility For State Adoption Subsidy
DHR-FCS-2136	Termination Of Parental Rights / Foster Parent Adoption Placement Form
DHR-FCS-621	Post-Placement Report To The Court Suggested format for DHR Adoptions Suggested format for Independent Adoptions
DHR-FCS-634	Physical Examination for Foster and/or Adoptive Applicants
DHR-FCS-643	Consent Of State Department Of Human Resources To Adoption
DHR-FCS-704	Application To Foster And/Or Adopt
DHR-FCS-705	Financial Statement for Foster and/or Adoptive Applicants
DHR-FCS-706	Information Regarding Immediate Relatives

ADPH-HS-17 Alabama Report of Adoption

### **MEMORANDA**

Appeal Of Termination Of Parental Rights Order

Request To Restrict CA/N Report On Child In DHR Permanent Custody

### **INSTRUCTIONS FOR FORMS**

## **APPENDIX**

AUTOBIOGRAPHY GUIDE
CHILD-PLACING AGENCIES LICENSED BY THE STATE
DEPARTMENT OF HUMAN RESOURCES
COMMON TACTICS OF CROSS-EXAMINATION
RESOURCE GUIDE FOR POST-ADOPTION SERVICES
GUIDELINES FOR BEING AN EFFECTIVE WITNESS